



General Assembly

**Amendment**

January Session, 2007

LCO No. 7954

\*HB0732207954HDO\*

Offered by:

REP. O'CONNOR, 35<sup>th</sup> Dist.

REP. SAYERS, 60<sup>th</sup> Dist.

REP. WITKOS, 17<sup>th</sup> Dist.

To: Subst. House Bill No. 7322

File No. 842

Cal. No. 323

**"AN ACT CONCERNING MEDICAID MANAGED CARE REFORM."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 1-218 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Each contract in excess of two million five hundred thousand  
6 dollars between a public agency and a person for the performance of a  
7 governmental function shall (1) provide that the public agency is  
8 entitled to receive a copy of records and files related to the  
9 performance of the governmental function, and (2) indicate that such  
10 records and files are subject to the Freedom of Information Act and  
11 may be disclosed by the public agency pursuant to the Freedom of  
12 Information Act, provided that any person performing a governmental  
13 function may assert any applicable statutory exemption which  
14 precludes disclosure of a record. No request to inspect or copy such

15 records or files shall be valid unless the request is made to the public  
 16 agency in accordance with the Freedom of Information Act. Any  
 17 complaint by a person who is denied the right to inspect or copy such  
 18 records or files shall be brought to the Freedom of Information  
 19 Commission in accordance with the provisions of sections 1-205 and 1-  
 20 206 and any person performing a governmental function shall be  
 21 deemed a party to any proceeding to adjudicate such complaint.

22 (b) Notwithstanding any other provision of the general statutes, any  
 23 managed care organization providing managed care services or  
 24 administrative services to the Department of Social Services under  
 25 contracts authorized by section 17b-28a or 17b-192 shall be subject to  
 26 the provisions of subsection (a) of this section, with regard to records  
 27 and files created for the purpose of performing a governmental  
 28 function under such a contract. The obligation of a managed care  
 29 organization to disclose information in response to requests pursuant  
 30 to this section shall be limited to records or files created for the  
 31 purpose of performing a governmental function under its contract  
 32 with the department and shall not, for any purpose, extend to  
 33 documents related to other programs or functions of the managed care  
 34 organization. The rates paid by the managed care organizations to  
 35 providers of medical services for Medicaid managed care services shall  
 36 be disclosed to the department and may be disclosed by the  
 37 department pursuant to this section."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	1-218
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